

(Adopted: 10/05/79; Amended: 03/07/80; Amended: 09/10/82;  
Amended: 12/03/82; Amended: 07/12/85; Amended: 08/01/86;  
Amended: 09/05/86; Amended: 09/05/86; Amended: 07/28/90;  
Amended: 05/03/91; Amended: 12/07/95; Amended: 07/14/96;  
Amended: \_\_\_\_\_)

## RULE 1306

### Emission Calculations

### Electric Energy Generating Facilities

(a) ~~General~~

~~This rule shall be used as the basis for calculating applicability of Regulation XIII as stated in Rule 1301(b) and Rule 1303. This rule shall also be the basis for calculating daily emission increases and decreases used for offset requirements and Emission Reduction Credits. [Moved to Proposed Rule 1304(A)(1).]~~

(A) General

- (1) This Rule shall apply to all EEGF proposed to be constructed in the District and for which an NOI or AFC has been accepted by the CEC, as such terms are defined in District Rule 1301(Y), (XX), (J) and (Q) respectively.
- (2) If any provision of this Rule conflicts with any other provision of this Regulation, the provisions contained in this Rule shall control.

(b) ~~Emission Increases~~

~~Emission increases for new sources and the new total emissions for modified sources shall be calculated, as approved by the Executive Officer or designee, (1) using calendar monthly emissions divided by 30 for determination of the required amount of offsets, and (2) on a pound per day basis for determination of BACT and modeling applicability, from permit conditions which directly limit the emissions or, when no such conditions are imposed, from: [Moved to Proposed Rule 1304(B)(1). See also Proposed Rule 1304(D)(2).]~~

- (1) ~~the maximum rated capacity; and~~
- (2) ~~the maximum daily or monthly hours of operation as applicable; and~~
- (3) ~~the physical characteristics of the material processed.~~

## (B) Intent to Participate

### (1) Notification of Intent to Participate (NOI)

- (a) Within fourteen (14) days of receipt of an NOI, the APCO shall notify CARB and the CEC of the District's intent to participate in the NOI proceeding.

### (2) Preliminary Report

- (a) If the District chooses to participate in the NOI proceeding, the APCO shall prepare and submit a preliminary report to CARB and the CEC prior to the conclusion of the nonadjudicatory hearings specified in Section 25509.5 of the Public Resources Code.
- (b) The Preliminary Report shall include, at a minimum:
  - (i) A preliminary specific definition or description of BACT for the proposed Facility; and
  - (ii) A preliminary discussion of whether there is a substantial likelihood that the requirements of this Regulation and all other District Rules can be satisfied by the proposed Facility; and
  - (iii) A preliminary list of conditions which the proposed Facility must meet in order to comply with this Regulation and any other applicable District Rules.
- (c) The preliminary determination shall be as specific as practicable within the constraints of the information contained in the NOI.

### ~~(c) — Emission Decreases~~

~~Emission decreases from sources which are modified or removed from service shall be the actual emissions reduced to the amount which would be actual if current BACT were applied. The emission amount shall be calculated from the following: [Moved to Proposed Rule 1304(C)(2). See also Proposed Rule 1304(D).]~~

- ~~(1) — The sum of actual emissions, as determined from company records, shall include annual emissions declarations pursuant to Rule 301, or other data approved by the Executive Officer or designee, whichever is less, which have occurred each year during the two-year period immediately preceding the date of permit application, or other appropriate period determined by the Executive Officer or designee to be representative of the source's cyclical operation, and consistent with federal requirements; [Moved to Proposed Rule 1304(C)(2).]~~

- ~~(2) The sum of BACT adjusted annual emissions shall be divided by the total number of actual operation days in each of those two years or other approved period; and [Moved to Proposed Rule 1304(C)(2).]~~
- ~~(3) The calculated amount from paragraphs (c)(1) and (c)(2) shall be multiplied by the usage factor appropriate to the use of the subject sources in each of the two years used for calculation, as follows: [Moved to Proposed Rule 1304(C)(2).]~~
- ~~1.0 when operated 180 days or more;~~
- ~~0.5 when operated 30 to 179 days, and~~
- ~~0.0 when operated less than 30 days.~~
- ~~(4) Daily emissions shall be determined for each year. The average value shall be calculated for those two years or other approved period. [Moved to Proposed Rule 1304(C)(2).]~~
- ~~The BACT adjustment shall not apply to facilities located in the SEDAB.~~

## (C) Applications

### (1) Application for New Source Review

- (a) The APCO shall consider the AFC to be equivalent to an application pursuant to District Rule 1302(B) during the Determination of Compliance review, and shall apply all applicable provisions of District Rule 1302 to the application.
- (b) If the information contained in the AFC does not meet the requirements which would otherwise comprise a complete application pursuant to District Rule 1302(B)(1), the APCO shall, within twenty (20) calendar days of receipt of the AFC, specify the information needed to render the application complete and so inform the CEC.

### (2) Requests for Additional Information

- (a) The APCO may request from the applicant any information necessary for the completion of the Determination of Compliance review.
- (b) If the APCO is unable to obtain the information, CARB or the APCO may petition the presiding committee of the CEC for an order directing the applicant to supply such information.

~~(d) Determination of Required Offsets and BACT Applicability~~

~~This subdivision shall be used for determining the amount of required offsets pursuant to Rule 1303(b)(2), and BACT applicability pursuant to Rule 1303(a). [Moved to Proposed Rule 1303(A) and 1304(B)(1)]~~

~~(1) New Equipment Requiring a Permit (No Previous Permit):~~

~~Emissions are calculated pursuant to Rule 1306(b). [Moved to Proposed Rule 1303(A) and 1304(B)(1)]~~

~~(2) Modification of Existing Source:~~

~~Net emissions increase after the modification shall be calculated pursuant to Rule 1306(b) which is the post-modification potential to emit minus either:~~

~~(A) the permitted or allowable pre-modification potential to emit; or~~

~~(B) the actual emissions calculated pursuant to Rule 1306(c)(1) if the source was never subject to Rule 213 or Regulation XIII. [Moved to Proposed Rules 1303(A)(2-3) and 1304(B)(1). See also Proposed Rule 1304(D).]~~

**(D) Determination of Compliance Review**

- (1) Upon receipt of an AFC for an EEGF, the APCO shall conduct a Determination of Compliance review. This Determination shall consist of a review identical to that required pursuant to District Rule 1302(C).**

~~(e) Determination of Emission Reduction Credit~~

~~This paragraph shall be used for determining all Emission Reduction Credits:~~

~~(1) All Modifications:~~

~~Emission credit shall be based upon the new potential to emit calculated pursuant to Rule 1306(b) minus the decrease calculated pursuant to Rule 1306(c):~~

~~(2) All Shutdowns:~~

~~Emission credit shall be based upon the decrease calculated pursuant to Rule 1306(c):~~

~~(3) The ERC shall equal the emission credit at the facility determined pursuant to paragraphs (e)(1) or (e)(2) minus the following:~~

~~(A) The NSR balance of the facility. The NSR balance must be zero for any ERC to be granted;~~

~~(B) All Community Bank allocations;~~

~~(C) All Priority Reserve allocations; and~~

~~(D) All offsets obtained pursuant to the exemption provisions of Rule 1304.~~

~~(4) For the purpose of ERC determination in subparagraph (e)(3)(A) above, the NSR balance may be reduced from modifications and shutdowns by the amount of:~~

~~(A) the pre-modification potential to emit minus the post-modification potential to emit, for sources previously subject to Rule 213 or Regulation XIII; or~~

~~(B) the actual emissions calculated pursuant to Rule 1306(c) minus the post-modification potential to emit for sources never subject to Rule 213 or Regulation XIII.~~

~~For shutdowns, the post-modification potential to emit is zero.~~

## (E) Permit Issuance Procedure

### (1) Preliminary Decision

- (a) Within one hundred and fifty (150) days of accepting an AFC as complete and after the determination of compliance review has been completed, the APCO shall make a preliminary determination of compliance containing the following:
  - (i) A determination whether the proposed EEGF meets the requirements of this Regulation and all other applicable District Rules; and
  - (ii) In the event of compliance with all applicable District Rules and Regulations, what permit conditions will be required, including the specific BACT requirements.

### (2) Public Notice Requirements

- (a) The preliminary determination of compliance decision shall be treated as a preliminary decision under Rule 1302(D)(1) and shall be finalized by the APCO only after being subject to the public notice and comment requirements of Rule 1302(D)(2-3).

### (3) Determination of Compliance

- (a) Within two hundred and ten (210) days of accepting an AFC as complete and after the notice provisions have been completed, the APCO shall issue and submit to the CEC either of the following:
  - (i) A final determination of compliance; or,
  - (ii) If such a determination of compliance cannot be issued, an explanation regarding why such determination of compliance cannot be issued.

- (b) A determination of compliance shall confer the same rights and privileges as the new source review document and ATC(s) if and when the CEC approves the AFC, and the CEC certificate includes all conditions contained in the determination of compliance. *[Determination of compliance has the same effect as the New Source Review Document and an ATC.]*

[SIP: Submitted as amended \_\_\_\_\_ on \_\_\_\_\_; Approved 2/4/96, 61 FR 64291, 40 CFR 52.220(c)(240)(i)(A)(1); Conditionally Approved 6/9/82, 47 FR 25013, 40 CFR 52.220(c)(87)(v)(A); Conditionally Approved 1/21/81, 46 FR 5965, 40 CFR 52.220(c)(68)(i)]